

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARTIS WIXX,

Plaintiff,

v.

CAROLYN COLVIN, Acting Commissioner of
Social Security,

Defendant.

Case No. C13-2008-JLR

**ORDER REVERSING AND
REMANDING FOR FURTHER
PROCEEDINGS**

The Court, after careful consideration of plaintiff's complaint, the parties' briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
- (2) The Commissioner's decision is **REVERSED** and this case is **REMANDED** for further administrative proceedings.
- (3) On remand, the ALJ shall consider the new evidence submitted to the Appeals Council, develop the record as necessary, and reassess the nature and severity of Mr. Wixx's mental impairments. The ALJ shall then proceed through the remaining steps of the disability evaluation process as necessary. The ALJ shall reevaluate Mr. Wixx's credibility and the testimony of his wife. And the ALJ

1 shall reevaluate Dr. Erik Suh's November 2011 opinion, and the effect, if any,

2 Ms. Steffa's November 2012 letter has on her April 2012 opinion.

3 The Clerk shall send copies of this Order to the parties and to Judge Tsuchida.

4 DATED this 27th day of June, 20 .

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6 JAMES L. ROBART
7 United States District Judge
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